

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT (PCT Article 36 and Rule 70)

10/537628



Applicant's or agent's file reference 16755-FA	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/PEA/416)	
International application No. PCT/HU 03/00098	International filing date (day/month/year) 19.11.2003	Priority date (day/month/year) 03.12.2002
International Patent Classification (IPC) or both national classification and IPC G06F17/60		
Applicant VILMOS, Andras		

- This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
- This REPORT consists of a total of 6 sheets, including this cover sheet.

☐ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

 These annexes consist of a total of sheets.

- This report contains indications relating to the following items:
 - I ☒ Basis of the opinion
 - II ☐ Priority
 - III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
 - IV ☐ Lack of unity of invention
 - V ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
 - VI ☐ Certain documents cited
 - VII ☐ Certain defects in the international application
 - VIII ☐ Certain observations on the international application

Date of submission of the demand 29.06.2004	Date of completion of this report 16.12.2004
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I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

Description, Pages

1-7 as originally filed

Claims, Numbers

1-5 as originally filed

Drawings, Sheets

1/1 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
☐ the language of publication of the international application (under Rule 48.3(b)).
☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority in written form.
☐ furnished subsequently to this Authority in computer readable form.
☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
☐ the claims, Nos.:
☐ the drawings, sheets:

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5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	1-5
	No: Claims	
Inventive step (IS)	Yes: Claims	
	No: Claims	1-5
Industrial applicability (IA)	Yes: Claims	1-5
	No: Claims	

2. Citations and explanations

see separate sheet

Re Item V

**Reasoned statement with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement**

1. Reference is made to the following documents:
 - D1: WO 00/70500 A (PATIL UMESH R ; PIVIA INC (US); JORDAN DANIEL S (US); MOHAN SUDHIR (US) 23 November 2000 (2000-11-23)
 - D2: ANONYMOUS: "Visa 3-D Secure vs. MasterCard SPA" WHITE PAPER, [Online] 1 March 2002 (2002-03-01), XP002276994 Retrieved from the Internet: URL:http://www.gpayments.com/pdfs/GPayment_s_3-D_vs_SPA_Whitepaper.pdf> [retrieved on 2004-04-14]
 - D3: B. CLARK: "Smart Payment technology" WHITE PAPER, [Online] 2001, XP002276995 GPAYMENTS Retrieved from the Internet: URL:http://www.gpayments.com/pdfs/GPayment_s_Smart_Payment_Technology_Whitepaper.pdf> [retrieved on 2004-04-14]
 - D4: MONIKA GATZKE: "Krieg der Wallets" ECIN-ELECTRONIC COMMERCE INFO NET, [Online] 3 February 2000 (2000-02-03), XP002276996 Retrieved from the Internet: URL:<http://www.ecin.de/zahlungssysteme/wallet/>> [retrieved on 2004-04-14]
 - D5: CORY KLEINSCHMIDT: "Microportals hit it big"[Online] 6 December-1999. (1999-12-06), XP002276997 Retrieved from the Internet: URL:<http://www.traffick.com/story.asp?StoryID=38>> [retrieved on 2004-04-14]
 - D6: EP-A-0 902 381 (AMAZON COM INC) 17 March 1999 (1999-03-17)
2. The present application does not meet the criteria of Article 6 PCT, because the subject-matter of claims 1-5 is not clear.
 - 2.1 Concerning claim 1: The term "the virtual data units" is not defined. It is not clear what the term "exclusive address" refers to (memory, port, screen coordinates?). It is also ambiguous if the command channel mentioned in the preamble is identical to that mentioned in the characterizing portion.
Reference signs should be added also to the preamble of claim 1.
 - 2.2 The terms "active image field" in claim 2 and "the keyboard" in claim 3 are not

defined.

- 2.3 The formulations "the command elements...are supplemented" and "a name list...is allocated" used in claims 4 and 5 are vague and unclear and leave the reader in doubt as to the meaning of the technical features to which they refer, thereby rendering the definition of the subject-matter of said claims unclear.
3. Furthermore, the above-mentioned lack of clarity notwithstanding, the present application does not seem to meet the criteria of Article 33(1) PCT, because the subject-matter of claims 1 to 5 does not involve an inventive step in the sense of Article 33(3) PCT.
- 3.1 Indeed, it seems that the application relates to a persistent toolbar or frame ("active image fields") that is installed on the client side and which facilitates on-line shopping of articles displayed on corresponding web pages ("passive image fields"). The "signal forwarding network" corresponds to e.g. the Internet. Thereby, customer-related data is stored once on the client computer and by activating a "transaction initiating interface" (toolbar button) the user is able to transmit all relevant data to the seller in order to effectuate the purchase.
- 3.2 This amounts to nothing more than a client-side e-wallet, well known to the person skilled in the art; see e.g. D1 (page 2, line 8-page 3, line 14; page 5, line 2-page 6, line 7; page 7, line 2-page 9, line 16; page 13, line 20-page 14, line 20) or D2 (pages 8-11; 13-14; 16; 29-33) or D3, D4, D5.
Any of the above mentioned documents seem to disclose all technical features of the claimed invention.
- 3.3 An inventive step can only be acknowledged if it can be established that the claimed subject matter provides a non-obvious solution to a technical problem over the prior art.
In the present case the examiner cannot identify what technical problem the subject matter of the claims is intended to solve.
4. The dependent claims do not appear to contain any additional features which, in combination with the features of any claim to which they refer, meet the requirements

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of the EPC with respect to or inventive step.

5. Having regard to the state of the art at the relevant priority date, it is not evident that any aspect of the present application could be considered to involve technical considerations sufficient to provide a basis for acknowledging an inventive step in the sense of Article 33(3) EPC.